



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held February 13, 2007, the Board took the following action:

9 and 10

The following items were called up for consideration:

9

Supervisors Yaroslavsky and Knabe's recommendation to direct County Counsel to draft and present an ordinance to the Board for adoption within 30 days, which establishes the following new oversight procedures and personnel responsibilities to the Chief Administrative Officer (CAO), who in addition to other CAO responsibilities, will be responsible for coordinating with the Board of Supervisors and County Counsel on the drafting of an amendment to the County Charter to be placed on the June 2008 ballot that will establish a Chief Executive Officer form of County government: (Relates to Agenda No. 10)

- a.) Delegation of the oversight of County Departments. The CAO is delegated the responsibility for the oversight of all nonelected County departments with the exception of the Chief Administrative Officer, the County Counsel, the Auditor-Controller and the Executive Officer of the Board of Supervisors;
- b.) Appointment of Department Heads. The CAO is delegated the authority to recruit candidates for all nonelected department heads with the exception of the Chief Administrative Officer, the County Counsel, the Auditor-Controller and the Executive Officer of the Board of Supervisors. After the recruitment process is complete, the CAO will propose one candidate to the Board of Supervisors for approval. If the Board rejects the recommendation, or fails to approve the recommendation within 30 days of submission, the CAO will propose another candidate in the same manner; and

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- c.) Discipline of Department Heads. The CAO is delegated the authority to recommend the discipline, up to and including dismissal, of any nonelected department head with the exception of the Chief Administrative Officer, the County Counsel, the Auditor-Controller and the Executive Officer of the Board of Supervisors. In the event that the CAO determines that a department head should be disciplined, he will recommend such action to the Board in writing, and the Board will act on the recommendation within 30 days; and

10

Supervisors Knabe and Yaroslavsky's recommendation to instruct County Counsel, in conjunction with the Chief Administrative Officer, to draft a Charter amendment for placement on the June 2008 ballot that would: 1) permanently transfer to the Chief Administrative Officer (CAO) the authority for the hiring, removal and discipline of County department heads with the exception of the CAO, County Counsel, the Executive Officer of the Board, and Auditor-Controller; 2) establish that all nonelected department heads with the exception of the CAO, County Counsel, the Executive Officer of the Board, and Auditor-Controller, will report to the CAO; 3) establish a noninterference clause; and, 4) change the name of the position from "Chief Administrative Officer" to "Chief Executive Officer". (Relates to Agenda No. 9)

George Passantino, representing the Reason Foundation, and Dr. Genevieve Clavreul addressed the Board.

After discussion, The following statement was entered into the record for Supervisors Yaroslavsky and Knabe:

"This Board has accomplished a great deal together and has made significant headway in responding to the very serious management and leadership issues inherent in providing regional services to the largest County in the United States. We have also made progress in uniting the County Departments under our unified mission statement and in integrating services to our constituents. However, a change in the County's governance structure is in order if we are to meet the challenges of the 21st Century.

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“Our current structure, which requires every decision, large or small, to be vetted through the five-member Board of Supervisors, impedes the speedy resolution of issues. In addition, while five Supervisors, representing geographic districts, make up the governing body of the County, no one individual is vested with responsibility for the County as a whole. In order to provide services and respond to problems in a timely and effective way, the County needs to entrust one person with the executive powers necessary to oversee the day-to-day operations of County government.

“Prior to the initiation of a new recruitment for Chief Administrative Officer, the Board of Supervisors has a unique opportunity to begin the process of establishing a new system of governance for Los Angeles County. In the weeks ahead, the Board, working with the current Chief Administrative Officer and County Counsel, should draft a Charter Amendment for the June 2008 election that will permanently establish a ‘strong Chief Administrative Officer’ form of government in Los Angeles County. In the interim, we propose that the Board adopt an ordinance delegating the oversight of County departments to the Chief Administrative Officer.”

Therefore, Supervisors Yaroslavsky and Knabe made a recommendation that County Counsel be instructed to draft and present an ordinance to the Board for adoption within 30 days, which establishes the following new oversight procedures and personnel responsibilities to the Chief Administrative Officer (CAO), who in addition to other CAO responsibilities, will be responsible for coordinating with the Board of Supervisors and County Counsel on the drafting of an amendment to the County Charter to be placed on the June 2008 ballot that will establish a Chief Executive Officer form of County government:

- a.) Delegation of the oversight of County Departments. The CAO is delegated the responsibility for the oversight of all nonelected County departments with the exception of the Chief Administrative Officer, the County Counsel, the Auditor-Controller and the Executive Officer of the Board of Supervisors;

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- b.) Appointment of Department Heads. The CAO is delegated the authority to recruit candidates for all nonelected department heads with the exception of the Chief Administrative Officer, the County Counsel, the Auditor-Controller and the Executive Officer of the Board of Supervisors. After the recruitment process is complete, the CAO will propose one candidate to the Board of Supervisors for approval. If the Board rejects the recommendation, or fails to approve the recommendation within 30 days of submission, the CAO will propose another candidate in the same manner; and
- c.) Discipline of Department Heads. The CAO is delegated the authority to recommend the discipline, up to and including dismissal, of any nonelected department head with the exception of the Chief Administrative Officer, the County Counsel, the Auditor-Controller and the Executive Officer of the Board of Supervisors. In the event that the CAO determines that a department head should be disciplined, he will recommend such action to the Board in writing, and the Board will act on the recommendation within 30 days.

Supervisor Yaroslavsky made an additional recommendation that the County Counsel be requested to include in the new oversight procedures and personnel responsibilities a clause that prohibits the Board from instructing or directing department heads.

The following statement was also entered into the record for Supervisors Knabe and Yaroslavsky:

“The idea of a strong Chief Administrative Officer (CAO) is neither new, nor unique. A strong CAO or Chief Executive Officer (CEO) runs the day-to-day operations of a majority of counties in California and has the requisite authority to hire and fire department heads, as well as other executive and administrative duties. This provides a clear and efficient chain of command and accountability.

“The County of Los Angeles is a large government, with nearly 100,000 employees and a multi-billion dollar budget. To be at its most effective and efficient, department heads should be held accountable to a single person, the CAO; and in turn, the Board of Supervisors should hold a single person accountable for the day-to-day operations of the County.

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9 and 10 (Continued)

“In its role as the governing body of the County, the Board of Supervisors has sweeping and far reaching responsibilities. It is, therefore, appropriate to give the CAO the authority to oversee the day-to-day operations of County government through a clear chain of command. In order to permanently accomplish this, an amendment to the County Charter must be approved by County voters.”

Therefore, Supervisors Knabe and Yaroslavsky made a further recommendation that County Counsel be instructed, in conjunction with the Chief Administrative Officer, to draft a Charter amendment for placement on the June 2008 ballot that would:

1. Permanently transfer to the Chief Administrative Officer (CAO) the authority for the hiring, removal and discipline of County Department Heads with the exception of the CAO, County Counsel, the Executive Officer of the Board of Supervisors, and Auditor-Controller;
2. Establish that all nonelected department heads with the exception of the CAO, County Counsel, the Executive Officer of the Board of Supervisors, and Auditor-Controller, will report to the CAO;
3. Establish a noninterference clause; and
4. Change the name of the position from “Chief Administrative Officer” to “Chief Executive Officer”.

After further discussion, on motion of Supervisor Knabe, seconded by Supervisor Yaroslavsky, duly carried by the following vote: Ayes, Supervisors Molina, Burke, Knabe and Yaroslavsky; Noes: Supervisor Antonovich, the Board took the following actions:

1. Instructed County Counsel to draft and present an ordinance to the Board for adoption within 30 days, which establishes the following new oversight procedures and personnel responsibilities to the Chief Administrative Officer (CAO), who in addition to other CAO responsibilities, will be responsible for coordinating with the Board of Supervisors and County Counsel on the drafting of an amendment to the County Charter to be placed on the June 2008 ballot that will establish a Chief Executive Officer form of County government:
 - a.) Delegation of the oversight of County Departments. The CAO is delegated the responsibility for the oversight of all nonelected County departments with the exception of the Chief Administrative Officer, the County Counsel, the Auditor-Controller and the Executive Officer of the Board of Supervisors;

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- b.) Appointment of Department Heads. The CAO is delegated the authority to recruit candidates for all nonelected department heads with the exception of the Chief Administrative Officer, the County Counsel, the Auditor-Controller and the Executive Officer of the Board of Supervisors. After the recruitment process is complete, the CAO will propose one candidate to the Board of Supervisors for approval. If the Board rejects the recommendation, or fails to approve the recommendation within 30 days of submission, the CAO will propose another candidate in the same manner; and
 - c.) Discipline of Department Heads. The CAO is delegated the authority to recommend the discipline, up to and including dismissal, of any nonelected department head with the exception of the Chief Administrative Officer, the County Counsel, the Auditor-Controller and the Executive Officer of the Board of Supervisors. In the event that the CAO determines that a department head should be disciplined, he will recommend such action to the Board in writing, and the Board will act on the recommendation within 30 days;
- 2. Requested County Counsel to include in the new oversight procedures and personnel responsibilities a clause that prohibits the Board from instructing or directing department heads; and
 - 3. Instructed County Counsel, in conjunction with the Chief Administrative Officer, to draft a Charter amendment for placement on the June 2008 ballot that would:
 - a.) Permanently transfer to the Chief Administrative Officer (CAO) the authority for the hiring, removal and discipline of County Department Heads with the exception of the CAO, County Counsel, the Executive Officer of the Board of Supervisors, and Auditor-Controller;
 - b.) Establish that all nonelected department heads with the exception of the CAO, County Counsel, the Executive Officer of the Board of Supervisors, and Auditor-Controller, will report to the CAO;

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9 and 10 (Continued)

c.) Establish a noninterference clause; and

d.) Change the name of the position from "Chief Administrative Officer" to "Chief Executive Officer".

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Copies distributed:

Each Supervisor

Chief Administrative Officer

County Counsel